

Objection Deadline: November 28, 2016, at 4:00 p.m. (Eastern Time)
Hearing Date: December 8, 2016, at 11:00 a.m. (Eastern Time)

WOLLMUTH MAHER & DEUTSCH LLP

500 Fifth Avenue

New York, New York 10110

Telephone: (212) 382-3300

Facsimile: (646) 365-6849

William A. Maher, Esq.

Paul R. DeFilippo, Esq.

James N. Lawlor, Esq.

John D. Giampolo, Esq.

Adam M. Bialek, Esq.

ROLLIN BRASWELL FISHER LLC

8350 E. Crescent Pkwy., Suite 100

Greenwood Village, Colorado 80111

Telephone: (303) 945-7415

Facsimile: (303) 974-7468

Michael A. Rollin, Esq.

Maritza Dominguez Braswell, Esq. (*pro hac vice*)

Counsel for Lehman Brothers Holdings Inc.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No.: 08-13555 (SCC)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X	:	

**NOTICE OF MOTION BY LEHMAN BROTHERS HOLDINGS INC.
FOR ENTRY OF AN OMNIBUS ORDER (I) TO ENFORCE AGAINST
NONCOMPLIANT MORTGAGE LOAN SELLERS, AND TO COMPEL
THEM TO COMPLY WITH, THE ALTERNATIVE DISPUTE RESOLUTION
PROCEDURES ORDER FOR INDEMNIFICATION CLAIMS OF THE
DEBTORS AGAINST MORTGAGE LOAN SELLERS, AND (II) FOR CIVIL
CONTEMPT SANCTIONS AGAINST SUCH NONCOMPLIANT MORTGAGE LOAN
SELLERS FOR THEIR VIOLATION OF THE ORDER**

PLEASE TAKE NOTICE that on November 16, 2016, Lehman Brothers Holdings Inc. (“LBHI”), as Plan Administrator under the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors* for the entities in the above captioned chapter 11 cases (the “Chapter 11 Cases”), filed the motion (the “Motion”) for entry of an omnibus order substantially in the form of the accompanying proposed order (the “Proposed Order”) (i) to enforce against noncompliant mortgage loan sellers identified on the service list annexed hereto (each an “Noncompliant Seller”), and to compel them to comply with, the June 24, 2014 *Alternative Dispute Resolution Procedures Order for Indemnification Claims of the Debtors Against Mortgage Loan Sellers*, entered July 18, 2014 [ECF No. 45277] (the “ADR Order”) in the Chapter 11 Cases, and (ii) for civil contempt sanctions against such Noncompliant Sellers for their violation of the ADR Order, together with the Proposed Order and declaration of Scott Drosdick with all exhibits thereto in support of the Motion, and that a hearing (the “Hearing”) for entry of the Proposed Order will be held before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, in Courtroom 623 of the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”), One Bowling Green, New York, New York 10004, on **December 8, at 11:00 a.m. (Eastern Time)**, or such other time as the Court may determine.

PLEASE TAKE FURTHER NOTICE that any responses to the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov) by registered users of the Bankruptcy Court’s filing system, and (b) by any other parties in interest, on a CD-ROM or 3.5 inch disk, preferably in text-searchable Portable Document Format (PDF) (with a hard copy

delivered directly to Chambers) in accordance with General Order M-182 (which can be found at www.nysb.uscourts.gov) and shall be served in accordance with General Order M-399 and the Order governing case management and administrative procedures entered in the Chapter 11 Cases [ECF No. 9635] upon (i) the chambers of the Honorable Shelley C. Chapman, One Bowling Green, New York, New York 10004, Courtroom 623; (ii) counsel for LBHI, Wollmuth Maher & Deutsch LLP, 500 Fifth Avenue, New York, New York 10110 (Attn: Adam M. Bialek, Esq., and John D. Giampolo, Esq.); (iii) counsel for LBHI, Rollin Braswell Fisher LLC, 8350 East Crescent Pkwy., Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza D. Braswell, Esq.); and (iv) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan Golden, Esq., and Andrea B. Schwartz, Esq.), so as to be so filed and received by no later than **November 28, 2016, at 4:00 p.m. (Eastern Time) (the “Objection Deadline”)**.

PLEASE TAKE FURTHER NOTICE that if no responses are timely filed and served with respect to the Motion or any relief requested therein, LBHI may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of the Proposed Order annexed to the Motion, which order may be entered with no further notice or opportunity to be heard offered to any party.

PLEASE TAKE FURTHER NOTICE that objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: New York, New York
November 16, 2016

/s/ James N. Lawlor

James N. Lawlor, Esq.
William A. Maher, Esq.
Paul R. DeFilippo, Esq.
John D. Giampolo, Esq.
Adam M. Bialek, Esq.

WOLLMUTH MAHER & DEUTSCH LLP
500 Fifth Avenue
New York, New York 10110
Telephone: (212) 382-3300
Facsimile: (646) 365-6849

and

ROLLIN BRASWELL FISHER LLC
8350 E. Crescent Pkwy., Suite 100
Greenwood Village, Colorado 80111
Telephone: (303) 945-7415
Facsimile: (303) 974-7468
Michael A. Rollin, Esq.
Maritza Dominguez Braswell, Esq. (*pro hac*
vice)

Counsel for Lehman Brothers Holdings Inc.

Service List

America One Mortgage Corporation
1991 Village Park Way, Suite 205
Encinitas, CA 92024

American Pacific Mortgage Corporation
C/o Medlin & Hargrave, PC
Attn: Joshua A. Rosenthal, Esq.
Fountaingrove Executive Center
3562 Round Barn Circle, Suite 212
Santa Rosa, CA 95403
jrosenthal@mhlawcorp.com

Arizona Wholesale Mortgage, Inc.
3813 E. Tracker Trail
Phoenix, AZ 85050
Steve_b85032@yahoo.com

Atlantic Trust Mortgage Corp.
Attn: Scott Goldstein
2950 Halcyon Lane, Suite 704
Jacksonville, FL 32223
scott@atmfl.com
sgoldstein@atlantictrustmortgage.com

Aurora Mortgage, LLC
8150 Leesburg Pike, Suite 410
Vienna, VA 22182
rbodine@aurorafs.com

Bancplus Home Mortgage Center, Inc. and Andavtum Mortgage Network (as successor to
BancPlus Home Mortgage Center Inc.)
8320 W. Sunrise Blvd., Suite 104
Plantation, FL 33322

Bankers Choice Mortgage Corp.
10651 N. Kendall Dr., Suite 200
Miami, FL 33176
acobo@bankerschoice.com

California Home Investments, Inc.
243A Lakeview Avenue
Placentia, CA 92870
smoore@faranolaw.com

California Home Investments, Inc.
520 N. Brookhurst St., Suite 118
Anaheim, CA 92801
smoore@faranolaw.com

Colonial 1st Mortgage, Inc.
11551 Nuckols Rd.
Glen Allen, VA 23059
ddougherty@colonial1mtg.com

Community Mortgage Solutions, Inc.
1030 Palm Coast Parkway NW, Suite 3
Palm Coast, FL 32137
blair@communitymortgagesolutions.com

Comstock Mortgage
C/o Medlin & Hargrave, PC
Attn: Joshua A. Rosenthal, Esq.
Fountaingrove Executive Center
3562 Round Barn Circle, Suite 212
Santa Rosa, CA 95403
jrosenthal@mhlawcorp.com

Cornerstone Mortgage, Inc.
Attn: Pat Andre
17280 N. Outer 40 Rd, Suite 100
Chesterfield, MO 63005
pandre@cornerstonemortgage.com

Cornerstone Mortgage, Inc.
Medlin & Hargrave, PC
3562 Round Barn Circle, Suite 212
Santa Rosa, CA 95403
jrosenthal@mhlawcorp.com

Family Mortgage, Inc.
4990 S. Rainbow Blvd., Suite 100
Las Vegas, NV 89118
sharonye@familymortgageusa.com

First American Financial Mortgage Corp.
2171 Northlake Parkway, Suite 120
Tucker, GA 30084
djohnson@fafmc.com

First American Financial Mortgage Corp.
3469 Lawrenceville Hwy., Suite 205
Tucker, GA 30084
djohnson@fafmc.com

First Empire Funding Corp.
10816 72nd Ave., #3
Forest Hills, NY 11375
dgrancaric@hotmail.com

F.T. Financial, Inc.
9420 E. Doubletree Ranch Rd., Suite C-110
Scottsdale, AZ 85258
Frank@FTFinancialinc.com

Generation Mortgage Associates LLC
6400 Seminole Blvd, Suite 2
Seminole, FL 33772
syoun@generationloans.com

Great American Capital Corporation
2690 Weston Rd, #200
Weston, FL 33331
carl@great-american.net
carl@sourceonemortgage.net

Home Lenders of Georgia, LLC
C/o Cohan Law Group
Attn: Louis R. Cohan, Esq.
3340 Peachtree Road, Suite 2570
Atlanta, GA 30326
lcohan@cohanlawgroup.com

Intermountain Mortgage Company, Inc.
2029 Sidewinder Drive
Park City, UT 84060
rob@greatlender.com

JD Financial Group, Inc.
1850 South Ocean Drive, Suite 1708
Hallandale Beach, FL 33009
jd@jdfingroup.com

K & B Capital Corp.
C/o Choice Mortgage Bank
Attn: Michael Kodosi
40 SE Fifth St., Suite #502
Boca Raton, FL 33432
rfried@choicemortgagebankinc.com
choicemtgbank@aol.com

Mai Financial Services, Inc.
C/o Dennis G. Harkavy, Attorney at Law
23901 Calabasas Rd., Suite 2003
Calabasas, CA 91302
dgharkavy@yahoo.com

Mai Financial Services, Inc.
2804 Gateway Oaks Dr., #200
Sacramento CA 95833
dgharkavy@yahoo.com

Metropolitan Financial Mortgage Company
4445 West 77th Street, Suite 160
Edina, MN 55435
Ron@metrofmc.com

Mortgage Experts
Attn: Stephen R. Williams
2647 Pleasant Hill Road
Pleasant Hill, CA 94523
steve.williams@dvpca.com

Nationwide Home Loans, Inc.
6500 S. Quebec, Suite 105
Englewood, CO 80111
davidsruch@gmail.com

Nationwide Home Loans, Inc.
8943 E Thunderbird Rd,
Parker, CO 80134
davidsruch@gmail.com

NW Lending, Inc.
10900 NE 4th St., Suite 1430
Bellevue, WA 98004
glenclausing@comcast.net

NW Lending, Inc.
1400 112th Ave. SE, Suite 100
Bellevue, WA 98004
glenclausing@comcast.net

Pacific First Financial Services, LP
7226 Sepulveda Blvd.
Van Nuys, CA 91405

Parkside Lending, LLC
C/o Medlin & Hargrave, PC
3562 Round Barn Circle, Suite 212
Santa Rosa, CA 95403
jrosenthal@mhlawcorp.com

Premier Choice Mortgage, Inc.
16993 Parthenia Street, Suite 211
North Hills, CA 91343

Rancho Coastal Realty, Inc.
937 S. Coast Highway 101, Suite 209
Encinitas, CA 92024

Rancho Coastal Realty, Inc.
4405 Manchester Ave., #107
Encinitas, CA 92024

Rancho Coastal Realty, Inc.
1266 Stratford
Carlsbad, CA 92008

Sacramento 1st Mortgage, Inc.
C/o Medlin & Hargrave, PC
Attn: Joshua A. Rosenthal, Esq.
Fountaingrove Executive Center
3562 Round Barn Circle, Suite 212
Santa Rosa, CA 95403
jrosenthal@mhlawcorp.com

The Carolina's First Mortgage, Inc.
3710 Old Lassiter Mill Rd.
Raleigh, NC 27609
FDanaFirst@aol.com

The Carolina's First Mortgage, Inc.
142 Mine Lake Ct
Raleigh, NC 27615-6417
FDanaFirst@aol.com

The Force, Inc.
7540 Lochness Drive
Miami Lakes, FL 33014
Denise@theforcegroup.com

The Force, Inc.
14160 Palmetto Frontage Road 1010
Miami Lakes, FL 33016
Denise@theforcegroup.com
Trustworthy Mortgage Corp.
1964 Gallows Rd., Suite 350
Vienna, VA 22182
linn@trustworthyloan.com

Trustworthy Mortgage Corp.
1492 Broadstone Place
Vienna, VA 22182
linn@trustworthyloan.com

USA Lending, Inc.
132 SW 9th Street
Miami, FL 33130
zena@usalendinginc.com